

BILL NO. S-94-09-19

SPECIAL ORDINANCE NO. S-74-54

AN ORDINANCE approving RESOLUTION 93-9-S-1 of the City of Fort Wayne Board of Public Works to acquire certain parcels of land for the purpose of erecting an ambulance facility.

WHEREAS, on September 7, 1994, the City of Fort Wayne, through its Board of Public Works, adopted Resolution 93-9-S-1, attached hereto as Exhibit "A," and

WHEREAS, said Resolution approves the acquisition of four (4) parcels of land for the purpose of erecting offices and facilities to administer the City ambulance program; and

WHEREAS, said real estate parcels will be acquired through the eminent domain process; and

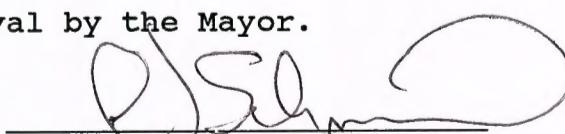
WHEREAS, the maximum offering price for said real estate parcels will be the average of two appraisals; and

WHEREAS, said Resolution to acquire such real estate requires Common Council approval; and

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That RESOLUTION 93-9-S-1 adopted by the City of Fort Wayne, through its Board of Public Works, is hereby in all things ratified, confirmed and approved. Two (2) copies of said Resolution are on file with the Office of the City Clerk and made available for public inspection, according to law.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.



Council Member

APPROVED AS TO FORM
AND LEGALITY



J. Timothy McCaulay, City Attorney

RESOLUTION

FORT WAYNE BOARD OF PUBLIC WORKS

93-9-S-1

WHEREAS, the City of Fort Wayne desires to acquire certain lands in the City of Fort Wayne for the purpose of erecting an ambulance facility, and

WHEREAS, the proposed land will be added to additional land to construct a building to house both offices and facilities for the administration of the City ambulance program and subsequently leased to the Three Rivers Ambulance Authority, and

WHEREAS, said acquisition will be for the benefit of the public and will aid the joint welfare of the residents of the City of Fort Wayne,

NOW, THEREFORE, BE IT RESOLVED BY THE FORT WAYNE BOARD OF PUBLIC WORKS that:

1. The Fort Wayne Board of Public Works finds said acquisition to be in the public interest.

2. That the real estate to be acquired consists:

a. The North 60.5 feet of the West 22. 5 feet of Lot No. 100 in Lewis Addition to the City of Fort Wayne, Allen County, Indiana, more commonly known as 502 East Brackenridge Street (Parcel No. 1).

b. North 60 feet of the East 37.5 feet of Lot No. 100 in Lewis Addition to the City of Fort Wayne, Allen County, Indiana, more commonly known as 506 East Brackenridge Street (Parcel No. 2).

c. West half of Lot No 96 in Lewis Addition to the City of Fort Wayne, Allen County, Indiana, more commonly known as 526 East Brackenridge Street (Parcel No. 3).

d. South 52.4 feet of the North 73.5 feet of Lots No. 101 and 102 in Lewis Addition to the City of Fort Wayne, Allen County, Indiana, more commonly known as 1419 Clay Street (Parcel No. 4).

BE IT FURTHER RESOLVED that the maximum offering price for each of the parcels shall be the average of two appraisals, and

BE IT FURTHER RESOLVED that relocation procedures and payments in accordance with the Indiana Code be offered to tenants of the property, and

BE IT FURTHER RESOLVED, with the approval of this Resolution, by the Common Council of the City of Fort Wayne, Indiana, that the Board of Public Works acquire said real estate through the eminent domain process.

Minda Edwards
Common Council of
Fort Wayne, Indiana

Read the first time in full and on motion by Edmunds,
seconded by _____, and duly adopted, read the second time by _____,
title and referred to the Committee on Finance (and the
City Plan Commission for recommendation) and Public Hearing to be held after
due legal notice, at the Common Council Conference Room 128, City-County
Building, Fort Wayne, Indiana, on _____, the _____, day
of _____, 19_____, at _____ o'clock M., E.S.T.

DATED: 9-13-94

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Edmunds,
seconded by _____, and duly adopted, placed on its passage.
PASSED LOST by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	<u>1</u>			<u>2</u>
BRADBURY	<u>✓</u>			
EDMONDS	<u>✓</u>			
GiaQUINTA	<u>✓</u>			
HENRY				<u>✓</u>
LONG				<u>✓</u>
LUNSEY	<u>✓</u>			
RAVINE	<u>✓</u>			
SCHMIDT	<u>✓</u>			
TALARICO	<u>✓</u>			

DATED: 9-27-94.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne,
Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL)

(SPECIAL) (ZONING) ORDINANCE RESOLUTION NO. S-74-94
on the 27th day of September, 1994

ATTEST:

(SEAL)

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on
the 28th day of September, 1994,
at the hour of 11:30 o'clock A.M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 28th day of September,
1994, at the hour of 4:25 o'clock P.M., E.S.T.

Paul Helmke
PAUL HELMKE, MAYOR



The City of Fort Wayne

Paul Helmke, Mayor

September 12, 1994

To the Members of Common Council:

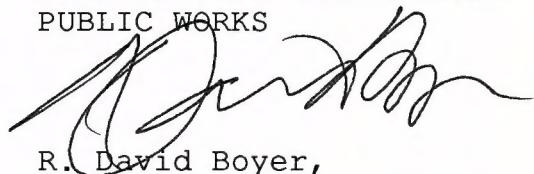
S-94-09-19

Enclosed please find Resolution 93-9-S-1. This Resolution permits the Board Of Public Works to acquire by condemnation four pieces of real estate needed to construct a replacement facility for Three Rivers Ambulance Authority ("TRAAC"). Their current facility is being incorporated into Headwaters Park.

Private negotiations have failed to produce a sale at or near the estimated value of the parcels. This Resolution gives notice of the City's intent to enquire and authorizes procedures which can ultimately lead to condemnation of the parcels.

Very truly yours,

CITY OF FORT WAYNE BOARD OF
PUBLIC WORKS



R. David Boyer,
Associate City Attorney

RDB:alc
Enclosure

DIGEST SHEET
Resolution No. 93-9-S-1

TITLE OF ORDINANCE: A RESOLUTION TO ACQUIRE CERTAIN LANDS IN THE CITY OF FORT WAYNE TO ERECT AN AMBULANCE GACILITY.

DEPARTMENT REQUESTING ORDINANCE: Board of Public Works

SYNOPSIS OF ORDINANCE: This resolution authorizes The Board Of Public Works to acquire through condemnation four parcels of real estate needed to build a facility for Three Rivers Ambulance Authority replacing the one displaced by Headwaters Park. These parcels could not be acquired at a reasonable price through private negotiation so condemnation needs to be authorized.

EFFECT OF PASSAGE: TRAA can built its replacement facility. **EFFECT**

OF NON-PASSAGE: The replacement facility will be delayed and acquisition of real estate for Headwaters Park Phase II may be substantially delayed.

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS): Public Safety Bond

ASSIGNED TO COMMITTEE (PRESIDENT): _____

BILL NO. S-94-09-19

REPORT OF THE COMMITTEE ON
FINANCE

CLETUS R. EDMONDS - DONALD J. SCHMIDT - CO-CHAIR
ARCHIE L. LUNSEY
DAVID C. LONG

WE, YOUR COMMITTEE ON FINANCE TO WHOM WAS

REFERRED AN (ORDINANCE) (RESCIXXION) approving RESOLUTION
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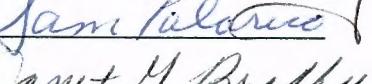
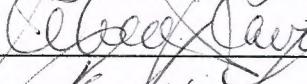
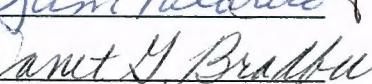
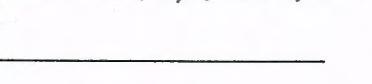
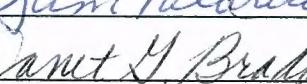
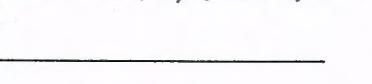
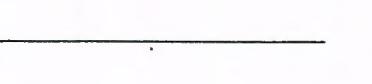
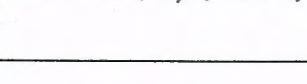
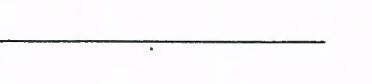
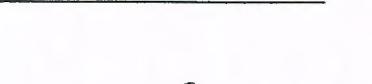
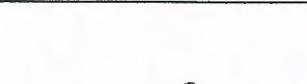
HAVE HAD SAID (ORDINANCE) (RESCIXXION) UNDER CONSIDERATION
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID
(ORDINANCE) (RESCIXXION)

DO PASS

DO NOT PASS

ABSTAIN

NO REC

DATED: 9-27-94.

Sandra E. Kennedy
City Clerk